



GOVERNMENT 'ENCOURAGING SNAKE-OIL SALESMAN' RATH



Traditional Healers Organisation members protest against the TAC defamation action outside the Cape High Court on 13 May. Picture: Chris Bateman

Bowing to legal pressure, the Medicines Control Council (MCC) has ordered a probe into 'clinical trials' by controversial entrepreneur Matthias Rath of his widely touted 'wonder vitamins' that allegedly outperform antiretroviral (ARV) drugs.

However, it has balked at publicly endorsing antiretroviral therapy (ART) as 'best practice'. Nor is it likely to unless ordered by a court of law, says MCC registrar Dr Humphrey Zokufa, who spoke to *Izindaba* just days before the Treatment Action Campaign (TAC) brought a High Court defamation action against Rath.

Rath's 'Foundation' alleges that the TAC are pawns of and funded by powerful international pharmaceutical cartels with the goal of destabilising the country economically and politically.

Rath and a small army of his staff have been handing out tens of thousands of vehemently anti-TAC pamphlets and erecting large posters highlighting the dangers of ARV drugs near ARV clinics in townships around Cape Town.

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Tell public what is best practice – TAC

It will ask the High Court to order the MCC to do so, thus 'minimising the harm, confusion and alarm' that Rath's campaign is allegedly wreaking among ART patients and others about to begin it.

Zokufa told *Izindaba* that 'if somebody stands on a mountain top and says ARVs are toxic and have adverse effects, the MCC cannot say this is incorrect'.

The stance of Zokufa who, until his current appointment in January, was the government's pharmaceutical policy and planning manager, is faithfully in line with that of controversial national health minister, Dr Manto Tshabalala-Msimang.

She was seen with Rath at a health *Imbizo* in Khayelitsha over a weekend in April where she steadfastly defended his 'right to free speech', adding that his drugs had 'equal validity' to ARVs.

This proved to be the last straw for the TAC and they once again unleashed their historically successful lawyers, this time upon the MCC and Rath, lashing out at Tshabalala-Msimang and government for 'creating the climate for Rath to flourish in'.

Days before *Izindaba* went to press, Tshabalala-Msimang defiantly announced a probe of ARV roll-out statistics from all provinces to 'interrogate' the possibility of fatal side-effects of the drug combinations.

She complained of 'no-one presenting to me how many people have fallen off the programme or died because of the side-effects', and expressed surprise when told by her own staff that 42 367 patients were now on ARVs in 53 health districts.

'I don't know how we jumped from 28 000 to 42 000,' she said, reiterating that nutrition was 'on a par' with ARVs in keeping people living with AIDS and HIV healthy.

Izindaba learnt that the TAC was considering serving Tshabalala-Msimang with a subpoena to testify in the defamation action against Rath.

Also under pressure from the TAC, the Health Professions Council of South Africa (HPCSA) laid a charge against Rath at the Khayelitsha police station.

This was for him running a bogus medical practice in the township (i.e. a practice in the name of a doctor not



registered with the HPCSA).

The TAC called a press conference in Cape Town on 18 April at which their chief, Zackie Achmat, characterised developments as a 'resurgence of AIDS denialism, coming back to haunt us'.

State silence 'deafening'

He said the State's 'deafening silence' on Rath's increasingly bold campaign spoke volumes about its continuing hostile attitude towards the best drugs that science had to offer in the battle against AIDS. This attitude stood in stark contrast to official government ART policy, which Rath was brazenly undermining.

One senior ANC official, significantly no longer in cabinet, former education minister Kader Asmal, broke party ranks and lambasted Rath, comparing him to Hitler's chief propagandist, Joseph Goebbels, and defended the TAC's 'good faith' in fighting HIV/AIDS.

Zokufa told *Izindaba* that the national department of health's inspectorate would probe whether Rath was doing anything that contravened the Medicine and Controlled Substances Act. 'If he has then action will be taken – we'll keep the TAC posted about progress.'

Specifically, Zokufa said Rath's 'clinical' trials would be probed, as would the claims on his vitamin packaging and whether the levels of concentrate in his pills exceeded levels prescribed as safe for food supplements.

He said the MCC's approving the quality, safety and efficacy profile of ARV drugs for use in precise indications did not mean that the drugs did not have side-effects.

'ARVs must be used by a biomedical-trained clinician who knows how to use various groups of drugs and how to switch from one drug programme to another, should toxicity manifest itself in the patient,' he stressed.

Zokufa said the country was dealing with 'a group of drugs (ARVs) that are not 100% safe', but did have benefits and could resist the progression of

AIDS, albeit with a toxicity profile that had to be carefully monitored.

MCC 'passes the buck'

A TAC spokesman told *Izindaba* that in its reply to legal papers served on it, the MCC had advised them to make their urgent request for an unequivocal public statement about the benefits of ART to individual provincial health authorities.

The MCC said its top management had met and decided 'not to make any such statements at this time'.

All about vitamin sales – Achmat

Achmat said the controversy that Rath had stirred up, including placing newspaper adverts that the Advertising Standards Authority had ruled had no veracity and ordered withdrawn, was 'not about ARVs but all about Rath selling his vitamins'.



Treatment Action Campaign veteran Zackie Achmat.

Dr Mark Sonderup, speaking on behalf of the South African Medical Association (SAMA), told journalists 'we're not dealing with a common or garden snake-oil salesman here – he's saying "stop taking life-saving medication!"

What Rath was doing was 'unacceptable and criminal' and his vitamins had

not been subjected to any accepted scientific peer-review scrutiny.

The country had an illness decimating its populace 'and we should be out there treating and advising people, not sitting here wasting precious time dealing with snake-oil salesmen like Matthias Rath,' he added.

Achmat said his personal experience of the side-effects of ARVs highlighted the TAC's acceptance of this reality, while it also recognised the value of nutrition and vitamins.

Rath, who has enlisted the political support of the South African National Civics Association and the Traditional Healers Organisation, however, was weaving a web of lies and deceit based on selective facts and rumour in order to boost his vitamin sales.

The TAC's defamation action, supported by SAMA and Médecins Sans Frontières SA, came before a full bench of the Cape High court on 13 May, complete with a brief and violent confrontation between chanting supporters of the protagonists outside.

In his opening remarks, Judge Siraj Desai, told the legal protagonists that the defamation proceedings 'reflect poorly on all of us'.

'We are faced with a health crisis of enormous proportions and our energies would be better spent addressing the scourge,' he added.

The TAC's application is for an interim interdict restraining the Rath Foundation from calling it 'a front, Trojan Horse and running dog' for international pharmaceutical companies, 'by advocating the poisoning of South Africans', was postponed to 26 May.

Appealing for calm among supporters of both sides, Judge Desai granted an application by the Traditional Healers Association to join proceedings as a respondent supporting the Rath Foundation.

Chris Bateman